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Attorneys for Chapter 7 Trustee

U.S. COURT
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

In Re:)	Case No. 03-21652
)	
GERALD & ONA LINDSEY,)	TRUSTEE'S MOTION FOR
)	TURNOVER OF PROPERTY
Debtors)	
)	
)	

COMES NOW Ford Elsaesser, the Chapter 7 Trustee, by and through his attorney of record, Barry McHugh of ELSAESSER JARZABEK ANDERSON MARKS ELLIOTT & MCHUGH, CHTD., and hereby moves the Court of an order for the Debtors, Gerald and Ona Lindsey, to turnover property pursuant to 11 U.S.C. §542.

1. Statement of Facts

The Trustee incorporates herein by reference the Statement of Facts in the Memorandum in Support of Second Motion to Amend the Petition, filed herewith.

2. Statement of the Law

The Trustee is vested with the responsibility of amassing the estate assets, and Debtors have an obligation under 11 U.S.C. §521(3) to "cooperate with the trustee as necessary to enable the trustee to perform the trustee's duties under this title", and under paragraph (4) to "surrender to the Trustee all property of the estate and any recorded information, including books,

documents, records, and papers, relating to property of the estate". Debtors are required under Bankruptcy Rule 4002 to "cooperate with the trustee in . . . the administration of the estate".

Based upon the Court's order adding "Searchlight Trust" and "River Mountain Ranch" to the Petition, and the Trustee's Second Motion to Amend the Petition, the Trustee requests an order requiring Debtors to turnover the following property:

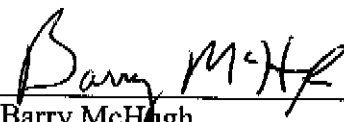
1. All vehicles owned by Searchlight Trust, River Mountain Ranch, National Holding Trust, Equitable Financial Services, or Mountain Property Management and Trust Company (hereinafter "the Lindsey Entities"), including, but not limited to: 1996 GMC Yukon, Idaho License No. I29030 and a Lincoln Continental passenger vehicle of an unknown description.
2. All furniture owned by Debtors or the Lindsey Entities not exempted in their bankruptcy schedules which is in the possession of Debtors, or any other individuals on the property on which Debtors reside, known as the River Mountain Ranch, or wherever held, including but not limited to furniture in the possession of Ray and Maryann Holes, Boyd Hopkins and Julie Fowler, or any other individual;
3. All licensed and unlicensed vehicles and equipment, and all tools, gates and fencing, irrigation equipment, trailers, any accessories to items demanded herein, weighing systems or implements, and any other personal property on the property known as the River Mountain Ranch, or wherever held;
4. All records of any kind related to the Lindsey Entities located at the property known as the River Mountain Ranch, or wherever held;

5. All business records and banking records, or records of any kind, relating to Nevak Mining, Mud Creek Mining Corporation, Candle Mining Company, Inc. located at the property known as the River Mountain Ranch, or wherever held;
6. Control and possession of the residence in which Debtors reside, and any other residence or building located at the property known as the River Mountain Ranch, or wherever located;
7. Any other item not specifically demanded herein which is owned by Debtors or the Lindsey Entities and not exempted in the filed schedules.

Additionally, the Trustee requests an order requiring Debtors to provide a description, location, and name of any person or entity which has possession of assets owned by Debtors and/or the Lindsey Entities which are not located on the property known as the River Mountain Ranch and which Debtors assert cannot be turned over to the Trustee.

DATED this 23rd day of March, 2004.

ELSAESSER JARZABEK ANDERSON
MARKS ELLIOTT & MCHUGH, CHTD.

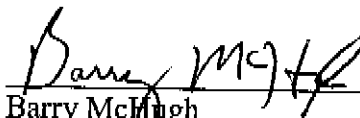


Barry McHugh
Attorney for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of March, 2004, a true and correct copy of the foregoing TRUSTEE'S MOTION FOR TURNOVER OF PROPERTY was served upon the following via U.S. Mail, first class, postage prepaid.

Ford Elsaesser Chapter 7 Trustee P.O. Box 2220 Sandpoint, ID 83864	U.S. Trustec 304 N. 8 th Street, Rm 347 Boise, ID 83702
Brit D. Groom Attorney at Law P.O. Box 218 Grangeville, ID 83530	Warren Derbidge US Attorney's Office 877 w. Main, Ste. 201 Boise, ID 83702
Sheila R. Schwager Hawley Troxell P.O. Box 1617 Boise, ID 83701-1617	Gerald & Ona Lindsey HC01 Box 109A White Bird, ID 83554
Mountain Property Management and Trust Company IIC01 Box 109B White Bird, ID 83554	National Holding Trust IIC01 Box 109B White Bird, ID 83554
Equitable Financial Services HC01 Box 109B White Bird, ID 83554	


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